

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David D. Crouch

Examiner: Ben Loha

Serial No.: 10/803,403

Group Art Unit: 2873

Filed: March 18, 2004

Docket: PD-02W127 (1547.085US1)

Title: SYSTEM FOR SELECTIVELY BLOCKING ELECTROMAGNETIC ENERGY

**PETITION UNDER 37 C.F.R. 1.137(b) TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION**

MS Petitions
Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby petitions the Commissioner for the revival of the above-identified patent Application under 37 CFR §1.137(b) as being unintentionally abandoned for failure to timely pay the required issue fee, as required in the Notice of Allowance and Fee(s) Due mailed March 06, 2006. The Notice of Abandonment, mailed on July 13, 2006, indicated that the submitted fee of \$300 is insufficient and that a balance of \$1400 is due. Reconsideration is respectfully requested.

Applicant had filed a Petition to Withdraw Holding Of Abandonment, received in the USPTO on July 24, 2006. A DECISION ON PETITION was mailed December 30, 2008 and indicated that the Petition to Withdraw Holding Of Abandonment was DISMISSED. According to the DECISION ON PETITION, Applicant may seek relief by filing a petition for revival under 37 C.F.R. §1.137(a) or (b).

Accompanying this Petition for Revival under 37 C.F.R. §1.137(b) are the following:

- (1) The reply required to the outstanding notice;
- (2) A statement that the entire delay was unintentional;
- (3) The petition fee as set forth in 37 C.F.R. §1.17(m); and
- (4) A Terminal Disclaimer (if required).

REQUIRED REPLY:

The required reply accompanying this Petition includes a copy of the Notice of Allowance and Fee(s) Due mailed March 06, 2006, and a payment of \$1400, which is the balance due. The payment is in the form of an authorization to charge the deposit account of Applicant's representative. The Commissioner is hereby authorized to charge a fee of \$1,400.00 due to Deposit Account No. 19-0743.

STATEMENT

Abandonment of this Application was unintentional, and the entire delay in filing the present Response from the due date of the reply until the filing of this Petition was unintentional.

PETITION FEE:

The Commissioner is hereby authorized to charge the Petition Fee of \$1,540.00 due under 37 C.F.R. §1.17(m), and any other fees which may be due, to Deposit Account No. 19-0743.

TERMINAL DISCLAIMER:

Applicant submits that a terminal disclaimer is not required because the present application is a Utility Application filed after June 8, 1995.

Conclusion

Applicant believes that the requirements for granting a Petition for Revival under 37 C.F.R. §1.137(b) have been met. Applicant respectfully requests that the petition be granted by the Commissioner. If necessary, authorization is hereby given to charge any additional fees or credit overpayment to Deposit Account No. 19-0743. The Commissioner is invited to telephone Applicant's attorney at (480) 659-3314 to facilitate the prosecution of this application.

Respectfully submitted,

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(480) 659-3314

Date February 12, 2009

By

Gregory J. Gorrie
Gregory J. Gorrie
Reg. No. 36,530

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12th day of February, 2009.

Name

Kym Saunders

Signature

[Signature]